

**SEMINOLE COUNTY GOVERNMENT  
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION  
AGENDA MEMORANDUM**

**SUBJECT:** SR 426/Chapman Road Walgreens - Preston Bolt - applicant; Major Amendment to a PCD; Located on the southwest corner of State Road 426 and Chapman Road. (Z2003-023)

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Matthew West **CONTACT:** Cathleen Consoli **EXT.** 7377

**Agenda Date:** 8/06/03      **Regular** ☐      **Work Session** ☐      **Briefing** ☐  
**Special Hearing – 6:00** ☐      **Public Hearing – 7:00** ☒

**MOTION/RECOMMENDATION:**

1. Recommend APPROVAL of a request for a major amendment to a PCD; located on the southwest corner of State Road 426 and Chapman Road, Preston Bolt – applicant; based on staff findings and the attached Development Order; or
2. Recommend DENIAL of a request for a major amendment to a PCD; located on the southwest corner of State Road 426 and Chapman Road, Preston Bolt – applicant;
3. CONTINUE the request to a date and time certain.

BCC District 1 – Commissioner Maloy

Cathleen Consoli, Senior Planner

**BACKGROUND:**

The applicant, Preston Bolt of Chapman 426 Development, LLC, is requesting to amend the Planned Commercial Development (PCD) formally known as Polystar, Industries to include commercial uses for a proposed Walgreens Pharmacy. The property was rezoned in 1998 to PCD with industrial uses, permitted through the Preliminary Master Plan and Development Order. A Final Master Plan and Developers Commitment Agreement (DCA) have not been submitted for this development as previously approved. At this time, the applicant is proposing to revise the approved preliminary master plan and change the uses permitted on the site to uses found in the C-2 (Commercial Retail District) rather than the M-1A (Very Light Industrial District) uses as depicted on the 1998 preliminary master plan.

**STAFF RECOMMENDATION:**

Staff recommends approval of the request based on staff findings and conditions placed on development, included in this report.

Reviewed by:	_____
Co Atty:	_____ <i>KDC</i>
DFS:	_____
OTHER:	_____
DCM:	_____
CM:	_____
File No.	<u>Z2003-023</u>

**SR 426 and Chapman Road Walgreens PCD  
(Formally Polystar Industries, Inc.)**

REQUEST INFORMATION		
APPLICANT	Preston Bolt	
PROPERTY OWNER	426 Chapman Development, LLC	
REQUEST	Major Amendment to PCD Preliminary Master Plan	
HEARING DATE(S)	LPA: August 6, 2003	BCC: August 26, 2003
SEC/TWP/RNG	20-21-31-5CB-0000-0050	
LOCATION	Southwest corner of Chapman Road and SR 426	
FUTURE LAND USE	Industrial	
FILE NUMBER	Z2003-023	
COMMISSION DISTRICT	District 1 (Maloy)	

**OVERVIEW**

**Zoning Request:** The applicant, Preston Bolt of Chapman 426 Development, LLC, is requesting to amend the Planned Commercial Development (PCD) formally known as Polystar, Industries to include commercial uses for a proposed Walgreens Pharmacy.

The subject property lies on the south west corner of SR 426 (Aloma Avenue) and Chapman Road. The eastern property line abuts the Cross Seminole Trail. It is approximately 5.12 acres in size.

The property was rezoned in 1998 to PCD with industrial uses permitted. A final Master Plan and Developers Commitment Agreement (DCA) were not submitted, under this concept. At this time, the applicant is proposing to revise the approved preliminary master plan and change the uses permitted on the site to uses found in the C-2 (Commercial Retail District) rather than the M-1A (Very Light Industrial District) uses as depicted on the 1998 preliminary Master Plan.

The subject parcel contains two out parcels in addition to the proposed Walgreens parcel. The uses on the entire site are to include all uses in the C-2 zoning district excluding the following: alcoholic beverage establishments, adult entertainment establishments and sexually oriented businesses. A final Master Plan and a Developers Commitment Agreement (DCA) shall be submitted within 60 months of approval for this request.

Staff believes that the proposed change, by itself, will not have a measurable impact on neighboring properties. Staff has no objection to the request except for the additional crossing of the Cross Seminole Trail onto SR 426.

**Existing Land Uses:** The existing zoning designations and land uses are as follows:

	<b>Zoning</b>	<b>Future Land Use</b>	<b>Existing Land Use</b>
<b>North</b>	A-1	MDR	Single and Multi-Family
<b>South</b>	A-1	Industrial	Vacant
<b>East</b>	A-1	MDR	Cross Seminole Trail, Single Family
<b>West</b>	A-1	Industrial	Vacant

For more detailed information regarding zoning and land use, please refer to the attached map.

## **SITE ANALYSIS**

### **Facilities and Services:**

1. Adequate facilities and services must be available concurrent with the impacts of development. If required by the concurrency review, additional facilities and services will be identified.
2. The proposed PCD amendment is consistent with the adopted future land use designation assigned to the property, and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan.

**Compliance with Environmental Regulations:** Upland buffers averaging 25 feet and not less than 15 feet will be required from all post-development wetlands. Conservation Easements dedicated to Seminole County are required over post development wetlands and required buffers.

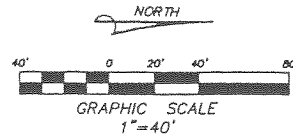
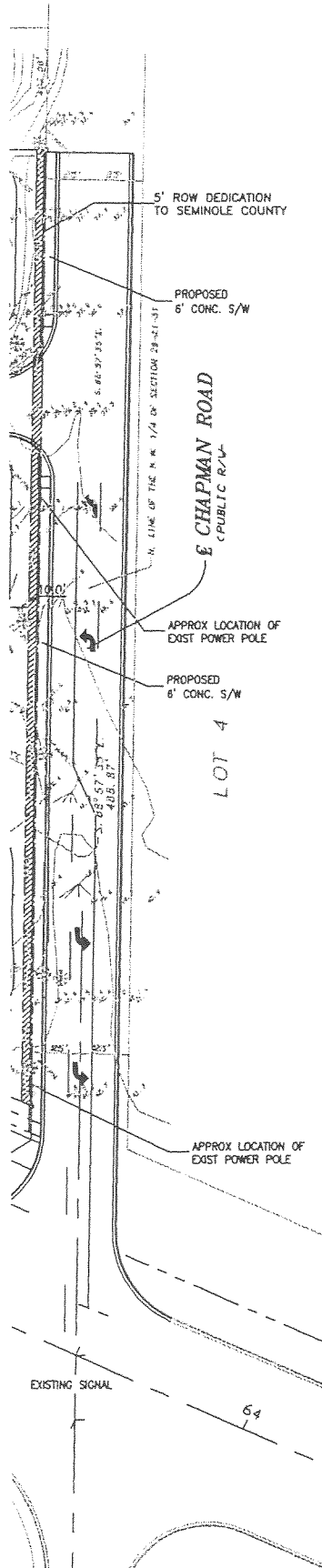
**Compatibility with surrounding development:** The proposed PCD amendment is compatible with surrounding residential and commercial development. The proposed use supports the adjacent residential uses.

### **STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the requested PCD Major Amendment subject to the following conditions:

1. Building setbacks shall be
  - a. Front (SR 426 and Chapman Road) – 25 feet
  - b. West property line – 10 feet
  - c. South property line – 10 feet
  - d. Internal lots – 5 feet
2. Landscape buffers shall be:
  - a. Front (SR 426 and Chapman Road) – 10 feet
  - b. West property line – 5 feet
  - c. South property line – 5 feet
  - d. Internal lots – 5 feet

3. Permitted uses are those permitted and conditional uses found in the C-2 zoning district plus self service gasoline pumps as an accessory use, restaurants and drive in banks. However, the following uses are prohibited: adult entertainment establishments and alcoholic beverage establishments including bars and cocktail lounges, new and used car lots, hotels and motels, flea markets, self service laundries, veterinary kennels or clinics, dry cleaning plants, bottling and distribution plants and boat sales or boat service facilities;
4. Alcoholic beverage sales may only be incidental in nature such as convenience stores or bona fide restaurant uses;
5. Restaurants may only operate between the hours 7a.m. until 11p.m. Sunday through Thursday, and 7a.m. until 1 a.m. on Fridays and Saturdays;
6. Deliveries may only be received between the hours of 7a.m. and 9p.m.;
7. The Walgreens site may be open 24 hours a day, seven days a week;
8. The site shall provide 30 percent open space;
9. A 5 foot sidewalk shall be constructed along Chapman Road the entire length of the parcel;
10. Only one access point to the subject property is permitted to cross the Cross Seminole Trail. Said access point shall be located at the pre-existing trail crossing location;
11. A 10 foot buffer is required adjacent to the trail corridor on the east property line with 4 canopy trees and 4 under story trees per every 100 linear feet;
12. Gas canopies shall have recessed lighting so that lighting fixtures shall not be visible below the horizontal plane of the canopy;
13. Final Master Plan shall adhere to all applicable requirements of the Land Development Code and Vision 2020.



#### LEGEND:

----- EXISTING IMPROVEMENTS  
 ----- PROPERTY LINE

#### SITE DATA:

PARCEL ID #: 20-21-31-5CB-0000-0050

Total Land Area: 5.122 acres

Existing Land Use: Vacant

Existing Zoning: PCD

Existing Comp. Plan Designation: Industrial

Proposed Zoning: PCD

Proposed Land Use: Industrial, with permitted uses in all commercial zoning classifications, and all commercial uses and commercial services allowed in the Commercial land use designation as set forth in the SCDP. Self service gasoline pumps are permitted as an accessory use.

Uses may also include the following:

Restaurants and banks with drive-ins

Prohibited uses shall include the following:

Adult Entertainment Establishments, New or Used Car Lots, Hotels and Motels, Animal Clinics, Bors and/or Cocktail Lounges, Flea Markets, Self-Service Laundry, Veterinary Kennel, Dry-Cleaning Plant, Bottling and Distribution Plant, Marine Sales/Services

Permitted hours of operation: 24-hours a day 7-days a week

Permitted hours of delivery: 7:00 a.m. to 9:00 p.m., 7-days a week

Building Setbacks: Front: 25' (along S.R. 426)  
 Rear: 10'  
 Side: 25' (along Chapman Road)  
 Side: 10' (along South PL)  
 Side: 5' (between internal lots)

Landscape Buffers: Front: 10' (along S.R. 426)  
 Rear: 5'  
 Side: 10' (along Chapman Road)  
 Side: 5' (along South PL)  
 Side: 5' (between internal lots)

Max. Bldg. Height: 35 ft

Max Impervious: 70%

Required Open Space: 30%

Max FAR: 0.35

Parking:	Required			Proposed		
	Total	Req	H/G	Total	Req	H/G
Walgreens	58	55	3	75	72	3
Retail	83	89	4	85	91	4
Total	151	144	7	170	163	7

Wetlands: The wetland boundary shown on this plan was reviewed and approved by Tony Miller with the SRRMMD on 7/9/03.

Flooding: The site is in Zone "X", no flood zone

Existing Soils: The majority of the site is #20 Myakka and Eau Gallie Fine Sands. A small area of #2 Adamsville-Spart Fine Sands exists along Chapman Road. A small amount of #31 Tavares-Millhopper Fine Sand exists along Slova Street.

#### General Notes:

1. Stormwater management will meet all local and State regulations. Exact design will be determined at the time of Final Site Plan submitted for each lot.
2. The existing environmental area will be mitigated off-site per Seminole County and SRRMMD rules.
3. All on-site ponds and drainage facilities to be maintained by the owner.
4. Water and sewer service will be provided by Seminole County. Water provided by connection to new 30" WM within Chapman Road ROW adjacent to the site. Sewer provided by connection to existing FID within S.R. 426 ROW.
5. This project will be developed in phases. The exact phases will be determined at the time of Final Site Plan submitted.
6. All site development will adhere to the Seminole County Land Development Code including parking, landscaping, fire zones and signage standards.
7. The projected traffic generation for this project is:
  - a. NEW DAILY TRIPS - 2,216
  - b. NEW PM PEAK HR TRIPS - 190
8. Existing trees will be preserved wherever possible.
9. Signal modifications at the intersection of S.R. 426 and Chapman Road will be coordinated with the FDOT as necessary.

ALL DRAWINGS BY TIPTON ASSOCIATES ARE BASED UPON:

1. SURVEY BY SWAGGERTY LAND SURVEYING, INC. DATED 5/13/02.
2. WALGREEN'S PRELIMINARY SITE PLAN BY AMERICAN CIVIL ENGINEERING CO. DATED 2/3/01.

REVISIONS  
 1. 7/14/03-REV PER COUNTY COMMENTS

PREPARED BY:  
**TIPTON ASSOCIATES INCORPORATED**  
 760 MAGUIRE BOULEVARD  
 ORLANDO, FLORIDA 32803  
 © PH: (407) 894-2055  
 FAX: (407) 896-9949

PREPARED FOR:  
**CHAPMAN 426 DEVELOPMENT, LLC**  
 P.O. BOX 941330  
 MAITLAND, FL 32784-1330

DESIGNED BY:  
 WET JR  
 DRAWN BY:  
 BT, LC

WILLIAM E. TIPTON, JR., P.E.

DATE:  
 FL REG. # 45012

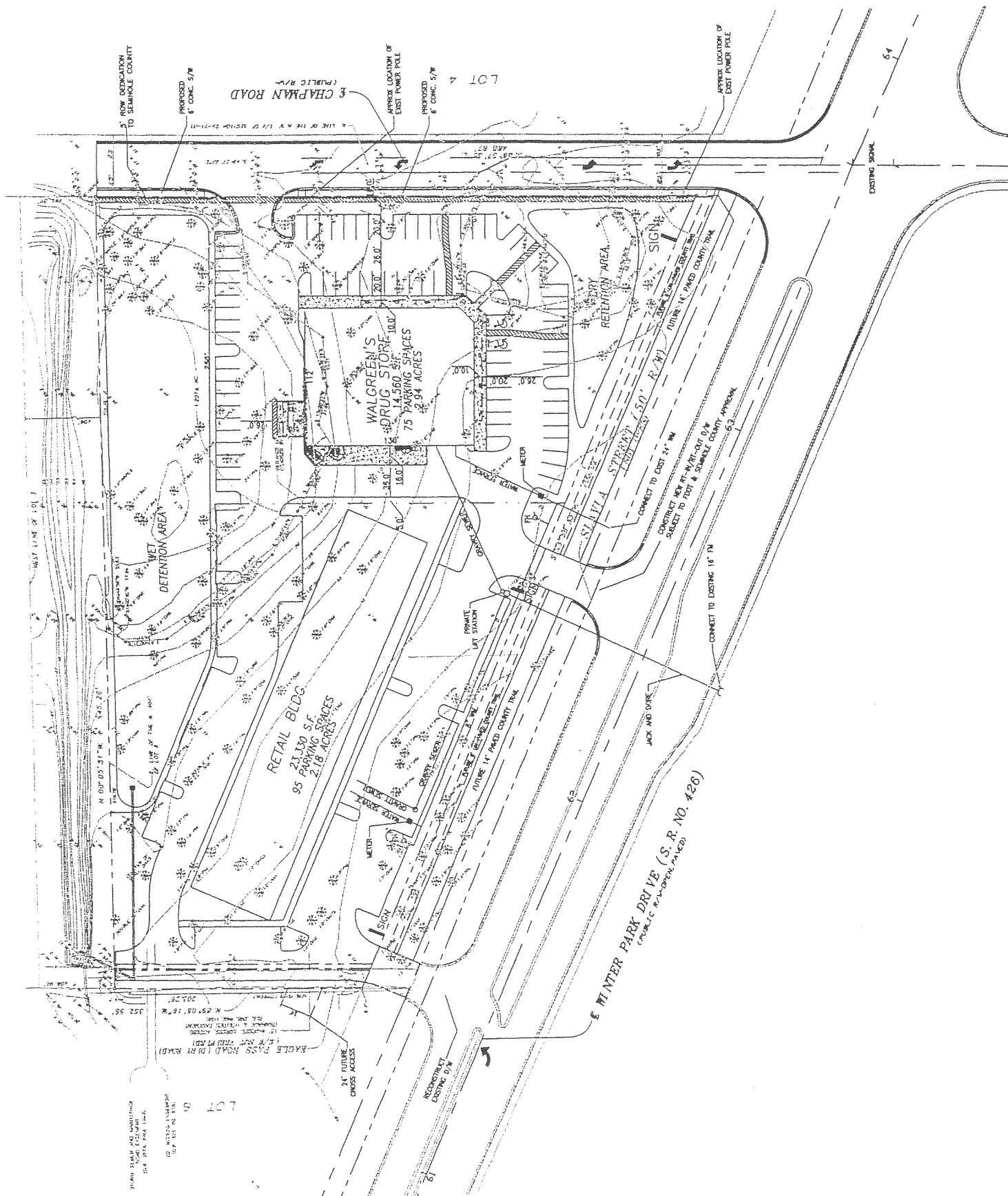
PROJECT:  
 3-440.1

DATE:  
 6/13/03

SHEET:  
 MP-2

PRELIMINARY  
 MASTER PLAN  
 3440MP2.DWG

# PRELIMINARY MASTER PLAN







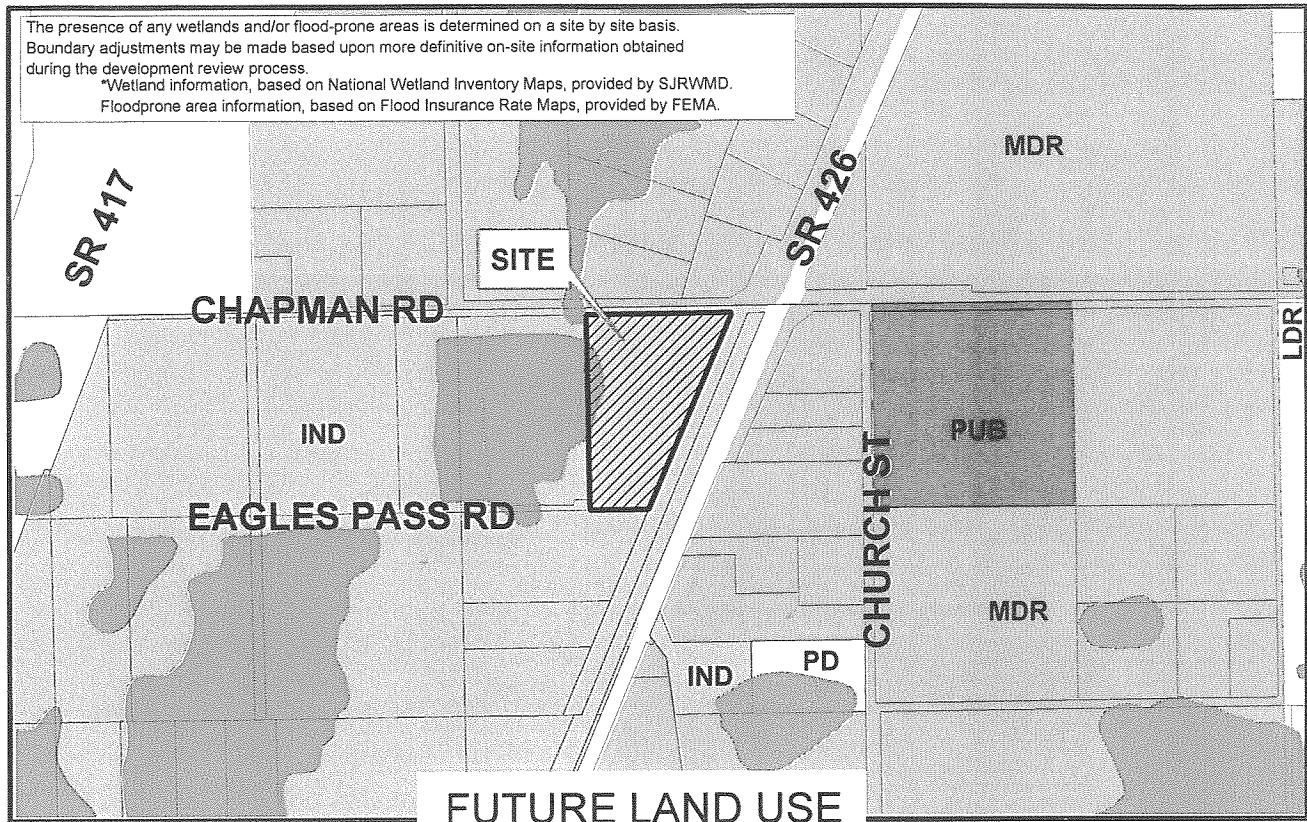


SR 426 and Chapman Road Walgreens PCD  
Agenda Memorandum

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Insert color maps  
Aerial  
Site plan

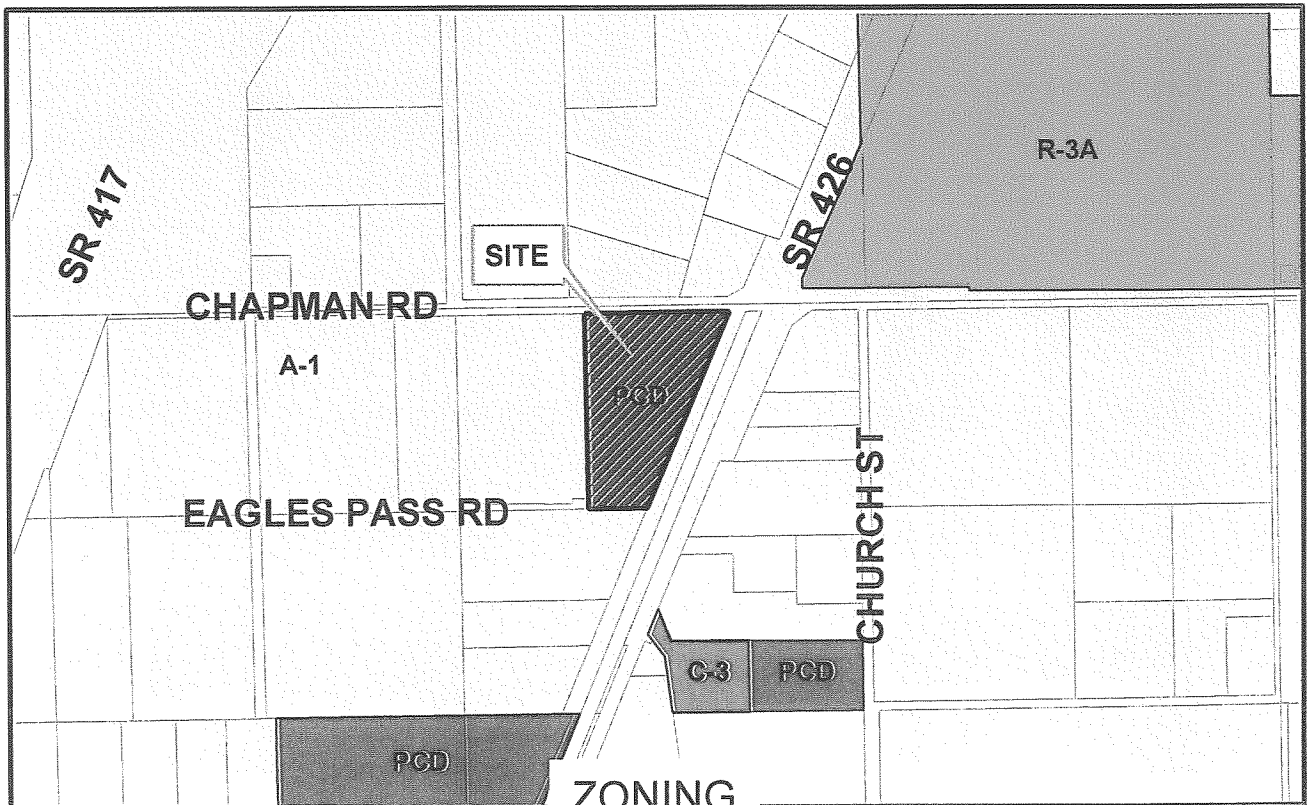
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
 \*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.  
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site
  IND
  LDR
  CONS
  PUB
  MDR
  PD

Applicant: Chapman 426 Development, LLC  
 Physical STR: 20-21-31-5CB-0000-0050  
 Gross Acres: 5.122 BCC District: 1  
 Existing Use: Vacant Commercial  
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2003-023	PCD	PCD




A-1
  C-3
  PCD
  R-3A



Rezone No: Z2003-023

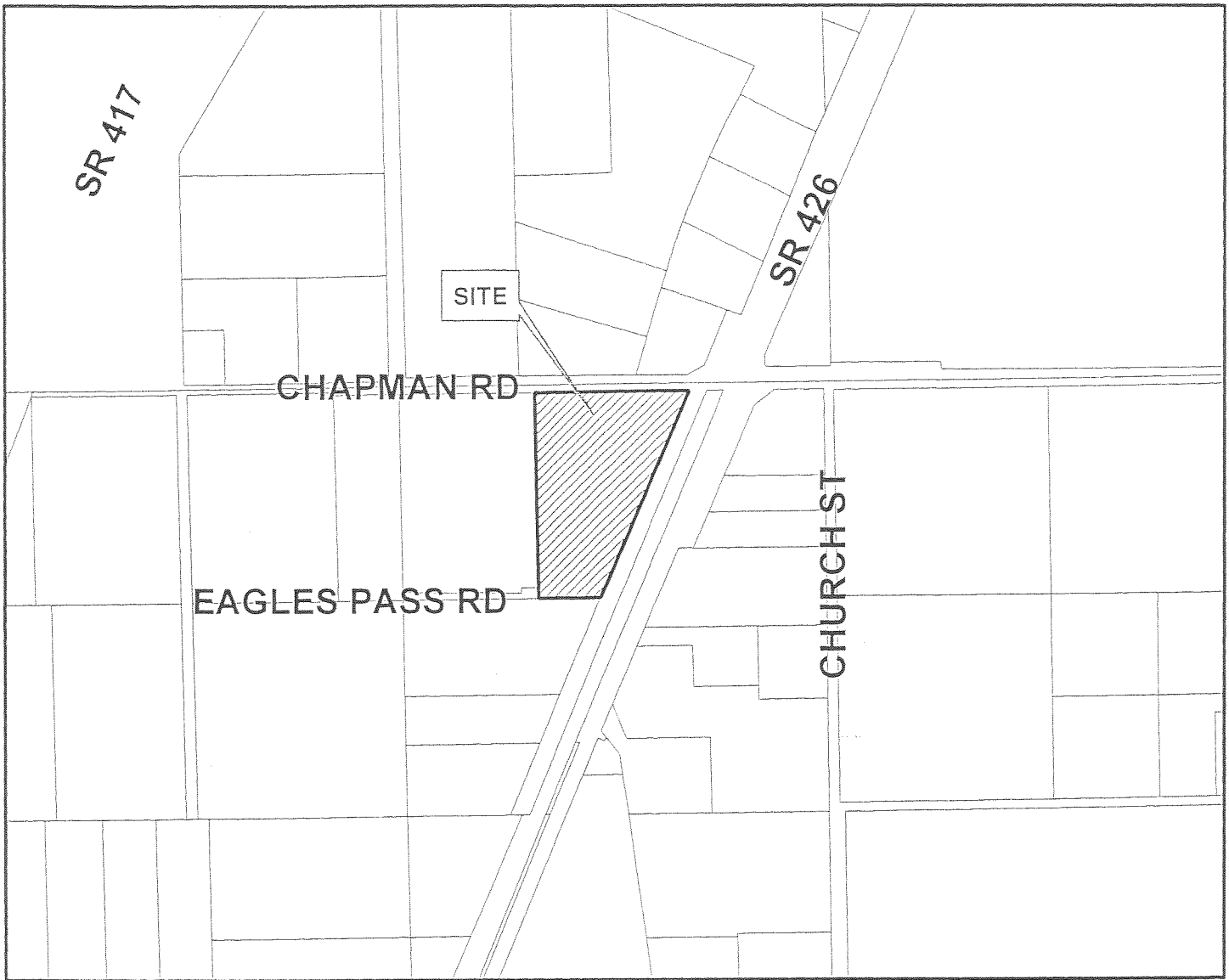
From: PCD To: PCD

 Parcel

 Subject Property



February 1999 Color Aerials



## SEMINOLE COUNTY DEVELOPMENT ORDER

On August 2, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

### **See Exhibit A**

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

### **FINDINGS OF FACT**

**Property Owner:**

CHAPMAN 426 DEVELOPERS, LLC  
PO BOX 941330  
MAITLAND FL 32794

**Project Name:** SR426 & CHAPMAN ROAD (WALGREENS)

**Requested Development Approval:**

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: CATHLEEN CONSOLI  
1101 East First Street  
Sanford, Florida 32771

## Order

### NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
  1. Building setbacks shall be
    - a. Front (SR 426 and Chapman Road) – 25 feet
    - b. West property line – 10 feet
    - c. South property line – 10 feet
    - d. Internal lots – 5 feet
  2. Landscape buffers shall be:
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  4. Alcoholic beverage sales may only be incidental in nature such as convenience stores or bona fide restaurant uses;
  5. Restaurants may only operate between the hours 7a.m. until 11p.m. Sunday through Thursday, and 7a.m. until 1 a.m. on Fridays and Saturdays;
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  11. A 10 foot buffer is required adjacent to the trail corridor on the east property line with 4 canopy trees and 4 under story trees per every 100 linear feet;

12. Gas canopies shall have recessed lighting so that lighting fixtures shall not be visible below the horizontal plane of the canopy;
13. Final Master Plan shall adhere to all applicable requirements of the Land Development Code and Vision 2020.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

**Done and Ordered on the date first above.**

By: \_\_\_\_\_  
**Daryl McLain**  
**Chairman**

## Order

## OWNER'S CONSENT AND COVENANT

**COMES NOW**, Chapman 426 Developers, LLC, the owner of the aforescribed property in this Development Order, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Chapman 426 Developers, LLC, Owner  
by John Riley President of Chapman 426 Developers, LLC

Print Name \_\_\_\_\_

Witness

Print Name \_\_\_\_\_

Witness

Print Name \_\_\_\_\_

STATE OF FLORIDA )

COUNTY OF SEMINOLE )

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared John Riley who is the President of Chapman 426 Developers, LLC personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

**WITNESS** my hand and official seal in the County and State last aforesaid this  
day of \_\_\_\_\_, 2003.

Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: